

MELINDA HAAG (CABN 132612)  
United States Attorney

J. DOUGLAS WILSON (DCBN 412811)  
Chief, Criminal Division

W.S. WILSON LEUNG (CABN 190939)  
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055  
San Francisco, California 94102-3495  
Telephone: (415) 436-6758  
FAX: (415) 436-6753  
wilson.leung@usdoj.gov

Attorneys for the United States of America

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA

v.

JEFFREY HAWKINS,

Defendant.

CASE NO. 3-13-70883-NC

STIPULATION AND [PROPOSED] ORDER

Date: September 18, 2013

Time: 9:30 am

Court: Hon. Elizabeth D. Laporte

The Government respectfully submits this Stipulation and Proposed Order on behalf of the parties to request that the September 18, 2013, preliminary hearing date be continued for 30 days, until October 18, 2013, to allow the defendant the opportunity to seek resolution of this matter prior to the filing of formal charges. The parties hereby stipulate and agree that:

1. The defendant, Jeffrey Hawkins, was charged in a Criminal Complaint dated August 5, 2013, with interfering with an airplane flight crew, in violation of Title 49, United States Code, Section 46504. The defendant made his initial appearance before the Honorable Nathanael Cousins on August 14, 2013, and was released on a \$10,000 unsecured bond. Magistrate Judge Cousins set September 18, 2013, as the preliminary hearing/arraignment date.

2. Michael Paez, Esq., counsel for the defendant, has requested an opportunity to prepare a formal submission to the Government proposing resolution of this matter prior to the filing of formal charges. Accordingly, the parties respectfully request that the preliminary hearing/arraignment of September 18, 2013, be continued for 30 days, until October 18, 2013, to allow counsel to prepare his submission. Should this request be granted, the parties submit that time should be properly excluded in the interests of justice and to ensure the effective assistance of counsel under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A), and Fed. R. Crim. P. 5.1.

SO STIPULATED.

DATED: September 16, 2013

MELINDA HAAG  
United States Attorney

By: /s/  
W.S. WILSON LEUNG  
Assistant United States Attorney

DATED: September 16, 2013

/s/  
MICHAEL PAEZ, ESQ.  
Counsel for defendant Jeffrey Hawkins

FOR THE FOREGOING REASONS, IT IS HEREBY ORDERED THAT the preliminary hearing/arraignment for the above-captioned matter is continued under October 18, 2013, and time under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A), and Fed. R. Crim. P. 5.1 is excluded until October 18, 2013. The Court finds that good cause is shown for extending the time limits set forth in Federal Rule of Criminal Procedure 5.1(c), and, further, concludes that the extension is proper under Rule 5.1(d) and Title 18, United States Code, Sections 3060 and 3161. The Court finds that, taking into account the exercise of due diligence, the failure to grant the requested extension would deny counsel reasonable time necessary for effective preparation. The Court finds that the ends of justice served by granting the requested extension outweigh the best interests of the public and the defendant in a speedy trial and in the prompt disposition of criminal cases. The Court also concludes that an exclusion of time

1 through and including October 18, 2013, should be made under Title 18, United States Code, Sections  
2 3161(h)(7)(A) and 3161(h)(7)(B)(iv). The Court also finds that the ends of justice served by an  
3 exclusion of time through and including October 18, 2013 outweigh the best interest of the public and  
4 the defendant in a speedy trial. Id. § 3161(h)(7)(A).

5  
6 DATED: September 17, 2013

  
HON. ELIZABETH D. LAPORTE  
United States Magistrate Judge